



UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND										
1 Date of Request: <u>01/04/07</u>		2 Serial/Patent # <u>09/263,358</u>								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT						
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	Extension of Time			\$						
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8 TO BE REFUNDED BY:										
10 REASON:		X	Treasury Check							
	Overpayment		Credit Deposit A/C #:							
	Duplicate Payment		9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px; text-align: center;">--</td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>				--			
		--								
X	No Fee Due (Explanation):									
Petition treated under 37 CFR 1.181										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>Kenya McLaughlin</u>		TITLE: <u>Petitions Attorney</u>								
SIGNATURE: <u></u>		PHONE: <u>2-3222</u>								
OFFICE: <u>Petitions</u>										
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****										
APPROVED: <u></u>		DATE: <u>1/8/07</u>								

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

647192.1.DOC
MBS/JPC
September 14, 2006



PATENT APPLICATION
Attorney's Docket No.: 2479.1027-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis D. Ferguson and James A. Proctor, Jr.

Application No.: 09/263,358 Group: 2681

Filed: March 5, 1999 Examiner: Sheila B. Smith

Confirmation No.: 1714

For: FORWARD ERROR CORRECTION ON MULTIPLEXED CDMA CHANNELS
ENABLING HIGH PERFORMANCE CODING

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<i>September 14, 2006</i>	<i>Marianne Lentini</i>
Date	Signature
<i>Marianne Lentini</i>	
Typed or printed name of person signing certificate	

PETITION FOR EXPEDITED EXAMINATION OF PATENT APPLICATION UNDER 37
C.F.R. § 1.182, STATUS INQUIRY, AND REQUEST FOR CONSIDERATION OF
PREVIOUSLY SUBMITTED AMENDMENT OF OCTOBER 22, 2003

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition is being filed in the above-identified application with a petition fee set forth in § 1.17(f). Further examination is requested. This Petition, Status Inquiry and Request is responsive to a telephone conference by and between the Applicants and the Supervisory Examiner Dwayne Bost on August 30, 2006. On or about August 25, 2006 through August 29, 2006, Applicants' attorney made two phone calls to Examiner Sheila Smith and one phone call to

09/19/2006 HLE333 00000119 09263358

01 FC:1462

400.00 OP

Refund Ref:
09/06/2007 CKHLOK 0000155372

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Refund date: 01/08/2007 CKHLOK
09/06/2006 HLE333 00000119 09263358 -400.00 OP
01 FC:1462

Applicants' Attorney believes that the Office's delay in responding to the Reply filed on October 22, 2003 is a result of an internal error at the Office, and not on the part of the Applicants. Applicants' Attorney respectfully submits that a Petition fee of \$400.00 under § 1.17(f) is due in this matter. However, if the Applicants' Attorney is in error, please charge Deposit Account No. 08-0380 for any fees that may be due in this matter. One additional copy of this petition is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon
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Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 9/14/06